

1 GLANCY PRONGAY & MURRAY LLP  
2 Lionel Z. Glancy (#134180)  
3 Robert V. Prongay (#270796)  
4 Lesley F. Portnoy (#304851)  
5 Charles H. Linehan (#307439)  
6 1925 Century Park East, Suite 2100  
7 Los Angeles, California 90067  
8 Telephone: (310) 201-9150  
9 Facsimile: (310) 201-9160  
10 Email: Rprongay@Glancylaw.Com  
11 *Attorneys for Lead Plaintiffs*

12 COOLEY LLP  
13 John C. Dwyer (136533)  
14 Angela L. Dunning (212047)  
15 Jeffrey M. Kaban (235743)  
16 3175 Hanover Street  
17 Palo Alto, CA 94304-1130  
18 Telephone: (650) 843-5000  
19 Facsimile: (650) 849-7400

20 *Attorneys for Defendants ImmunoCellular*  
21 *Therapeutics, Ltd., David Fractor,*

22 *[Additional Counsel on Signature Page]*

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

18 Arthur Kaye IRA FCC as Custodian  
19 DTD 6-8-00 Individually and On  
20 Behalf of All Others Similarly Situated,

21 Plaintiff,

22 v.

23 ImmunoCellular Therapeutics, Ltd., *et*  
24 *al.*,

25 Defendants.

Case No. 2:17-cv-03250-FMO-SK

CLASS ACTION

Assigned to Hon. Fernando M. Olguin

**NOTICE OF TENTATIVE  
SETTLEMENT AND STIPULATION  
TO EXTEND STAY WHILE  
PARTIES PREPARE SETTLEMENT  
DOCUMENTATION**

1 Pursuant to Local Rule 7-1, co-lead plaintiffs Arthur Kaye IRA FCC as Custodian  
 2 DTD 6-8-00 and Hayden Leason (“Plaintiffs”) and defendants Immunocellular  
 3 Therapeutics, Ltd. (“IMUC”), David Fractor, Manish Singh, Lavos, LLC, Lidingo  
 4 Holdings, LLC, Kamilla BJORLIN, and Andrew Hodge (collectively, “Defendants”) (all  
 5 together, the “Parties”), by and through their undersigned counsel, hereby agree and  
 6 stipulate that good cause exists to request an order from the Court staying the case in its  
 7 entirety;

8 WHEREAS, on May 29, 2018, the Court entered an order granting Defendants’  
 9 Motion to Dismiss with leave to amend, instructing Plaintiffs to file a Consolidated  
 10 Third Amended Complaint (“TAC”) by June 15, 2018; Defendants to file any motion  
 11 to dismiss the TAC by July 12, 2018; and that the Parties meet and confer with respect  
 12 to any motion to dismiss the TAC by June 29, 2018;

13 WHEREAS, following the Court’s MTD Order, the Parties commenced  
 14 settlement negotiations to resolve this action;

15 WHEREAS, on June 13, 2018, the Parties submitted a joint stipulation requesting  
 16 an extension of the deadline for Plaintiffs to file the TAC and subsequent briefing  
 17 related thereto;

18 WHEREAS, on June 14, 2018, the Court so ordered the Parties’ June 13, 2018  
 19 stipulation, extending the time for Plaintiffs to file their TAC until June 29, 2018 and  
 20 setting a briefing schedule for any related motion to dismiss;

21 WHEREAS, on June 27, 2018, the Parties submitted another joint stipulation  
 22 requesting an extension of the deadline for Plaintiffs to file the TAC and subsequent  
 23 briefing related thereto;

24 WHEREAS, on June 29, 2018, Plaintiffs filed their TAC because the Court had  
 25 not entered the Parties’ June 27, 2018 stipulation;

26 WHEREAS, on July 2, 2018, the Court so ordered the Parties’ June 27, 2018  
 27 stipulation, extending all deadlines in the Court’s June 14, 2018 Order by a period of  
 28 fourteen (14) days and staying the case for those fourteen (14) days;

1           WHEREAS, on July 17, 2018, the Parties reached an agreement in principle to  
2 resolve their dispute pursuant to a class-wide settlement in the above-captioned action,  
3 subject to the Parties' negotiation, execution, and submission to the Court of a formal  
4 stipulation of settlement and preliminary and final approval by the Court;

5           WHEREAS, the parties expect to submit the tentative settlement to the Court for  
6 preliminary approval within 30 days;

7           WHEREAS, the parties agree that this case should remain stayed while they  
8 negotiate the terms of a written stipulation of settlement and related documentation;

9           WHEREAS, the parties agree that the requested stay would allow them to focus  
10 on preparing the necessary settlement documentation while avoiding unnecessary  
11 expense associated with further litigation;

12           NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and  
13 among the respective Parties hereto, through their undersigned counsel of record,  
14 subject to Court approval, as follows:

15           1. All proceedings in the above-captioned action shall remain stayed pending  
16 finalization and submission of the settlement documents to the Court.

17           2. The parties shall work diligently to complete the necessary settlement  
18 documentation and will promptly submit it to the Court for preliminary approval.

19           3. The stay of the above-captioned action may be lifted upon request of any  
20 party or by stipulation of the parties, or as otherwise ordered by this Court.

21 **IT IS SO STIPULATED.**

1 Dated: July 18, 2018

GLANCY PRONGAY & MURRAY LLP  
LIONEL Z. GLANCY (134180)  
ROBERT V. PRONGAY (270796)  
LESLEY F. PORTNOY (304851)  
CHARLES H. LINEHAN (307439)

5 /s/ Robert V. Prongay  
6 Robert V. Prongay

7 *Counsel for Lead Plaintiffs*

8 Dated: July 18, 2018

COOLEY LLP  
JOHN C. DWYER (136533)  
ANGELA L. DUNNING (212047)  
JEFFREY M. KABAN (235743)  
JESSIE A. R. SIMPSON LAGOY (305257)

12 /s/ Angela L. Dunning  
13 Angela L. Dunning

14 *Attorneys for Defendants, ImmunoCellular  
Therapeutics, Ltd., and David Fractor*

15 Dated: July 18, 2018

16 GARTENBERG GELFAND HAYTON LLP  
17 EDWARD GARTENBERG (102693)  
MILENA DOLUKHANYAN (303157)  
BRETT HEEGER (306245)

19 /s/ Edward Gartenberg  
20 Edward Gartenberg

21 *Counsel for Defendants Lidingo Holdings,  
LLC, Kamilla Bjorlin, and Andrew Hodge*

1 Dated: July 18, 2018

2 REED SMITH LLP  
3 JAMES L. SANDERS (126291)  
4 FRANCISCA M. MOK (206063)

5 /s/ James L. Sanders  
6 James L. Sanders

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Counsel for Defendants Manish Singh and  
Lavos, LLC

## **FILER'S ATTESTATION REGARDING SIGNATURES**

Pursuant to Local Rule 5-4.3.4(a)(2), I, Angela L. Dunning, attest that all signatories listed, on whose behalf this filing is being submitted, concur in the filing's content and have authorized the filing.

Dated: July 18, 2018

/s/ *Angela L. Dunning*  
Angela L. Dunning

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